

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

KENNETH EUGENE CARTER,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:17-cv-01337
)	
PRIME CARE MEDICAL, et al.,)	
)	
Defendants.)	

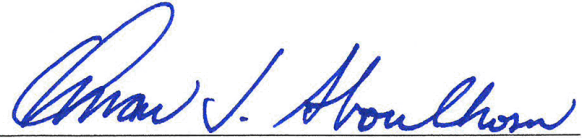
ORDER

Pending before the Court is Plaintiff’s “Motion to Exceed the 25 Interrogatory Limit” (Document No. 56), filed on September 7, 2018. Specifically, Plaintiff requests permission to “exceed the limit with 9 additional written interrogatories beyond the 25-limit for a total of 34 written interrogatories to each.” (*Id.*) In support, Plaintiff states he “is of the belief that depositions will not be necessary, [but] to avoid the arduous task of completing deposition, Plaintiff requests permission to exceed the 25-interrogatory limit.” (*Id.*)

Rule 33 of the Federal Rules of Civil Procedure provides that “[u]nless otherwise stipulated or ordered by the court, a party may serve on any other party no more than 25 written interrogatories, including subparts.” Fed. R. Civ. P. 33. Rule 26(b)(2)(A) further provides that “the court may alter the limits in the these rules on the number of depositions and interrogatories” Fed. R. Civ. P. 26(b)(2)(A). In his above Motion, Plaintiff notes that he requests the extension of the interrogatory limit in the hopes of foregoing the need for depositions. The undersigned notes that Plaintiff is an incarcerated individual, who is acting *pro se*, and the costs of depositions can be considerable.

Based on the foregoing, it is hereby **ORDERED** that Plaintiff's "Motion to Exceed the 25 Interrogatory Limit" (Document No. 56) is **GRANTED**. The Clerk is directed to send a copy of this Order to Plaintiff, who is acting *pro se*, and counsel of record.

ENTER: September 10, 2018.

A handwritten signature in blue ink, reading "Omar J. Aboulhosn", is written over a horizontal line.

Omar J. Aboulhosn
United States Magistrate Judge